

REVISED
Committee Agenda

Committee: House Appropriations
Room: LCR2
Date: Wednesday, February 22, 2012
Time: 8:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

SB 192 make appropriations for the purpose of one-time increases in education and health care funding.

The Committee on Appropriations at the request of the Office of the Governor

SB 193* revise the General Appropriations Act for fiscal year 2012 and to declare an emergency.

The Committee on Appropriations at the request of the Office of the Governor

SB 194 make an appropriation to fund tax refunds for elderly persons and persons with a disability, to revise the income eligibility requirements for property tax and sales tax refunds, and to declare an emergency.

The Committee on Appropriations at the request of the Office of the Governor

SB 195 make appropriations from the water and environment fund, the water pollution control revolving fund subfund, and the drinking water revolving fund subfund for various water and environmental purposes, to revise the state water plan, to authorize the construction and establish the state cost share for the Belle Fourche irrigation upgrade project, and to declare an emergency.

The Committee on Appropriations at the request of the Office of the Governor

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

SB 85* revise the calculation of the small school adjustment in the state aid to education formula, and to provide for the distribution of certain funds to school districts.

Senators Tidemann, Gray, Haverly, Hunhoff (Jean), Kraus, Krebs, Nelson (Tom), Peters, Rempelberg, Rave, and Tieszen and Representatives Dryden, Abdallah, Brunner, Conzet, Gosch, Hunt, Kirkeby, Lust, Romkema, Solum, Tornow, Turbiville, and White

DEAN WINK, Chair

Committee Agenda

Committee: House Commerce and Energy
Room: 464
Date: Wednesday, February 22, 2012
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

SB 103* **revise the procedure for cooperatives giving notice to persons whose records are missing regarding ownership of securities, apportionment of equity interest, money, or property.**

Senators Krebs, Frerichs, Frysli, Hansen (Tom), Juhnke, Maher, and Nygaard and Representatives Vanneman, Boomgarden, Brunner, Dennert, Fargen, Gibson, Sigdestad, Solum, and Willadsen

SB 157 **revise certain provisions relating to outdoor advertising signs.**

Senators Olson (Russell), Frerichs, Gray, Hansen (Tom), Heineman, Hundstad, Krebs, Nygaard, Peters, Rave, Schlekeway, and Tidemann and Representatives Rausch, Boomgarden, Carson, Cronin, Fargen, Hawley, Hoffman, Moser, Novstrup (David), Perry, Tulson, Verchio, Wick, and Willadsen

SB 108 **revise the maximum bet limit for Deadwood gaming.**

Senators Nelson (Tom), Adelstein, Lederman, Maher, and Rampelberg and Representatives Hoffman, Abdallah, Romkema, Rozum, Solum, Turbiville, and Verchio

SB 112 **remove the limitation on the number of retail gaming licenses in Deadwood in which a person may have a financial interest.**

Senators Nelson (Tom), Juhnke, Krebs, Lederman, Maher, and Rampelberg and Representatives Turbiville, Abdallah, Gibson, Kirkeby, Romkema, Stricherz, and Willadsen

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

ROGER D. SOLUM, Chair

Committee Agenda

Committee: House Education
Room: 413
Date: Wednesday, February 22, 2012
Time: 7:45 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

SB 186* **update the definition of the nonsectarian textbooks that are loaned to certain students to include digital materials.**

Senators Heineman, Johnston, Kraus, Maher, Novstrup (Al), Rhoden, and Schlekeway and Representatives Gosch, Bolin, Brunner, Hansen (Jon), Jensen, Liss, Rausch, Sly, and Wick

SB 191* **provide for authorization to offer postsecondary education services in South Dakota.**

The Committee on Education at the request of the Office of the Governor

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

THOMAS J. BRUNNER, Chair

Committee Agenda

Committee: House Judiciary
Room: 413
Date: Wednesday, February 22, 2012
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

SB 53 permit the Department of Public Safety to require certain accident reports to be filed by electronic means.

The Committee on Judiciary at the request of the Department of Public Safety

SB 68* provide that no statute of limitations applies to certain rape offenses.

Senators Johnston, Buhl, and Cutler and Representatives Hagggar, Abdallah, Deelstra, Hickey, Kopp, Magstadt, and Turbiville

SB 76* revise certain provisions relating to the retirement of justices and judges.

Senators Olson (Russell), Brown, Frerichs, Johnston, Maher, Novstrup (Al), Peters, and Rhoden and Representatives Kirkeby, Abdallah, Boomgarden, Cronin, Deelstra, Dryden, Gibson, Kloucek, Munsterman, Nelson (Stace), Olson (Betty), Rausch, Sigdestad, Turbiville, and Willadsen

SB 78* allow an arrest to be expunged when the criminal case is dismissed.

Senators Olson (Russell), Johnston, Krebs, Nygaard, Peters, Rampelberg, and Vehle and Representatives Fargen, Blake, Gibson, Hansen (Jon), Killer, Kirkeby, Lucas, Sigdestad, Stricherz, and Tornow

SB 156* establish strangulation as one element of the crime of aggravated assault.

Senators Tieszen, Cutler, Holien, and Rave and Representatives Lust, Cronin, Gibson, Hoffman, Moser, Sly, Turbiville, and Wick

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

SB 43 criminalize the failure to report the death or disappearance of a child within a specified time by certain persons responsible for the care of the child.

The Committee on Judiciary at the request of the Office of the Attorney General

ROGER W. HUNT, Chair

87th Legislative Session – 2012

Committee: House State Affairs

Wednesday, February 22, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Abdallah
P Blake
P Fargen
P Gibson
E Gosch
P Hoffman
P Hunhoff (Bernie)
P Moser
P Rausch
P Turbiville
P Wick
P Cronin, Vice-Chair
P Lust, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Lust.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 15, 2012

Moved by: Gibson
Second by: Hoffman
Action: Prevailed by voice vote.

MOTION: REFER SB 77 TO APPROPRIATIONS

Moved by: Gibson
Second by: Fargen
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Abdallah, Blake, Fargen, Gibson, Hoffman, Hunhoff (Bernie), Moser, Rausch, Turbiville, Wick, Cronin, Lust

Excused: Gosch

SB 71: modify the requirements relating to the publication of the administrative rules.

Presented by: Senator Jean Hunhoff

Proponents: Doug Decker, Legislative Research Council

MOTION: DO PASS SB 71

Moved by: Gibson

Second by: Turbiville

Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Abdallah, Blake, Fargen, Gibson, Hunhoff (Bernie), Moser, Rausch, Turbiville, Wick, Cronin, Lust

Excused: Gosch, Hoffman

MOTION: PLACE SB 71 ON CONSENT CALENDAR

Moved by: Turbiville

Second by: Cronin

Action: Prevailed by voice vote.

SB 174: increase the 911 emergency surcharge, to revise the collection and distribution of the surcharge revenue, to provide for point of sale collection of the prepaid wireless 911 emergency surcharge, and to provide funding for the upgrade of 911 emergency services.

Presented by: Senator Corey Brown (Handout: 1)

Proponents: Jeff Carmon, Century Link, Sioux Falls
Daren Ketcham, Self, Sioux Falls
Ted Ruffedt, Jr., Self, Rapid City
Cheryl Riley, ATT, Cheyenne, Wy
David Arney, Verizon Wireless
Fred Lamphere, Self, Belle Fourche
Staci Eggert, SD Sheriff's Association
Andy Gerlach, Department of Revenue

Trevor Jones, Department of Public Safety
Greg Dean, SD Telecommunications Association
Shawn Lyons, SD Retailers Association

MOTION: AMEND SB 174

174fc

On page 3, after line 21 of the Senate State Affairs Committee engrossed bill, insert:

"However, if the amount of prepaid wireless telecommunications service sold for a single, non-itemized price with one or more other products or services is denominated as ten minutes or less or as five dollars or less, the prepaid wireless service seller may elect not to collect any prepaid wireless surcharge for such retail transaction.".

Moved by: Abdallah
Second by: Hoffman
Action: Prevailed by voice vote.

MOTION: DO PASS SB 174 AS AMENDED

Moved by: Gibson
Second by: Fargen
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Abdallah, Blake, Fargen, Gibson, Hoffman, Hunhoff (Bernie), Moser, Rausch, Turbiville, Wick, Cronin, Lust

Excused: Gosch

SB 123: revise how the taxes are applied to rural electric companies.

Presented by: Representative Roger Solum
Proponents: Senator Larry Rhoden
Ed Anderson, SD Rural Electric Association
Darla Pollman-Rogers, SD Rural Electric Association
Brad Schardin, South Dakota Rural Electric Association
Mary Duvall, SD Farm Bureau
John Kerstiens, SD Farmers Union
Representative Frank Kloucek
Opponents: Mitch Richter, SD United Schools Association (Handout: 2)

Dianna Miller, Large School Group
Wade Pogany, Associated School Boards of SD

Mark Merchen, West River Electric, answered a question from the committee.
Don Marker, Sioux Valley Energy, answered a question from the committee.

MOTION: AMEND SB 123

123ta

On page 3, line 13, of the printed bill, overstrike "April" and insert "February".

On page 4, line 4, overstrike "July first following" and insert "May fifteenth".

On page 4, line 15, overstrike "September first" and insert "June fifteenth".

Moved by: Cronin
Second by: Rausch
Action: Prevailed by voice vote.

MOTION: DO PASS SB 123 AS AMENDED

Moved by: Rausch
Second by: Fargen
Action: Prevailed by roll call vote. (10-1-2-0)

Voting Yes: Abdallah, Fargen, Gibson, Hoffman, Moser, Rausch, Turbiville, Wick, Cronin, Lust

Voting No: Hunhoff (Bernie)

Excused: Blake, Gosch

SB 106: require the disclosure of certain public employee contracts.

Presented by: Representative Nick Moser
Proponents: Jeff Bloomberg, Bureau of Personnel
David Bordewyk, SD Newspaper Association
Bobbi Rank, Department of Education

MOTION: AMEND SB 106

106oa

On page 1, line 7, of the Senate Education Committee engrossed bill, delete "or amounts paid or benefits" and insert "and any related document that specifies the consideration to be paid to the".

On page 1, line 8, delete "provided to any public".

Moved by: Turbiville
Second by: Cronin
Action: Prevailed by voice vote.

MOTION: DO PASS SB 106 AS AMENDED

Moved by: Moser
Second by: Wick
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Abdallah, Fargen, Gibson, Hoffman, Hunhoff (Bernie), Moser, Rausch, Turbiville, Wick, Cronin, Lust

Excused: Blake, Gosch

MOTION: PLACE SB 106 ON CONSENT CALENDAR

Moved by: Moser
Second by: Hoffman
Action: Prevailed by voice vote.

THE CHAIR DEFERRED SB 114

THE CHAIR DEFERRED SB 161

MOTION: ADJOURN

Moved by: Hoffman
Second by: Gibson
Action: Prevailed by voice vote.

Joshua Klumb
Committee Secretary

David Lust, Chair